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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER
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GRAHAM, PAUL J

ART UNIT	PAPER NUMBER
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2623

NOTIFICATION DATE	DELIVERY MODE
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07/08/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/808,036	<b>Applicant(s)</b> JOHNSON, DAN SCOTT	
	<b>Examiner</b> PAUL J. GRAHAM	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17, 18, 20-22 and 25-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17, 18, 20-22 and 25-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION*****Response to Arguments***

1. Applicant argues:

*Williams Jr.'s sink does not enable a user to select an A/V interface.*

The Examiner respectfully disagrees. In fact, the cited reference reads on the claimed limitation, as the channel (an interface providing A/V data) from the cable converter box may be selected by user (see Williams Jr., coll. 6, ll. 43-54), the applicant is directed to the Office Action (1/30/08, pp. 5-6). The Applicant's argument has been fully considered, but is not persuasive.

*Williams Jr.'s sink does not enable a user to control a menu interface.*

The Examiner respectfully disagrees. In fact, "selecting the appropriate mode" (see Williams Jr., col. 6, ll. 43-54) shows enablement to control a menu interface. The channel setting (an inherent menu manipulation) is controlled by the STB, which shows enablement of a user to control a menu interface. In fact, Accarie also shows enablement of the user to control a menu interface, as cited in the Office Action (1/30/08, p. 6). In response to applicant's arguments against the references individually, *one cannot show nonobviousness by attacking* references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Hence, each reference actually suggests if not teaches enablement of the user to control a menu interface. The Applicant's argument has been fully considered, but is not persuasive.

*Claim 1 recites "a sink component disposed remote from the storage system."*

The Examiner respectfully disagrees with the applicant's assessment. Williams Jr. shows the sink remote from the storage system, as noted in the Office Action (1/30/08, p. 5). ). In response to applicant's arguments against the references individually, *one cannot show nonobviousness by attacking* references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091,

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231 USPQ 375 (Fed. Cir. 1986). Additionally, Accarie notes a sink remote from storage (see Accarie, [442], terminal v. local node v. VTR, represents separate units). And, Salmonsens shows a sink separate from storage, (see Salmonsens, fig. 3, separate functional units) albeit a mute point, given that Williams Jr. has been used to meet the claimed limitation. The Applicant's argument has been fully considered, but is not persuasive.

*Claim 1 recites "the sink component is configured to decode the A/V program".*

The Examiner is unclear as to where the applicant's argument for this stems, given that this is a newly amended limitation to claim 1. The recitation is similar to originally filed claim 2 and will be treated accordingly.

Claims 1, 3-15, 17-18, 20-22, 25-28 stand rejected.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-8, 11-15, 17-18, 22, 25, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. (US 6202211 B1) in view of Accarie et al. (US 2003/0048757 A1) in view of Salmonsens (US 2004/0049797 A1) in view of Hunter et al. (US 2002/0056118 A1).

As to claim 1, Williams discloses an audio/video (A/V) component networking system, comprising (see Williams, fig. 4):

a source component (see Williams, fig. 3, col. 5, ll. 34-39, receiving from a source component from remote systems within another network, see col. 6, ll. 7-11, and the cable system (fig. 5) into a number of tuners (see col. 1, ll. 60-64));

a presentation device (see Williams, fig. 4, a TV);

and a sink component disposed remote from the source component and adapted to control presentation of A/V program data received from the source component on the presentation device (see Williams, fig. 4, STB is a sink distinct from source in the server, adapted to control, see Williams, col. 6, ll. 43-49),

the sink component adapted to transmit a command to the source component to control displaying of an A/V interface of the source component for display on the presentation device (see Williams, col. 6, ll. 43-54, if cable box is set correctly (controlled by STB) cable converter box output streams to TV via STB control, In fact, the cited reference reads on the claimed limitation, as the channel (an interface providing A/V data) from the cable converter box may be selected by user (see Williams Jr., coll. 6, ll. 43-54)

In fact, "selecting the appropriate mode" (see Williams Jr., col. 6, ll. 43-54) shows enablement to control a menu interface. The channel setting (an inherent menu manipulation) is controlled by the STB, which shows enablement of a user to control a menu interface. In fact, Accarie also shows enablement of the user to control a menu interace, Williams Jr. shows the sink remote from the storage system, Accarie notes a sink remote from storage (see Accarie, [442], terminal v. local node v. VTR, represents separate units). And, Salmonsens shows a sink separate from storage, (see Salmonsens, fig. 3, separate functional units)).

Williams teaches control of data, but is unclear on control of menu interface from the source component; Accarie, who discloses a network communication system does teach control of menu interface of the source component for display on the presentation device (see Accarie, [0395-0447], all stored commands (a menu) of a local terminal (a source) is displayed on a screen for user selection (displayed on presentation device, [0447])).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams with the system of Accarie to allow the user to access the menu of control functions of a remote source component (see Accarie, [0453]).

The references of Williams and Accarie are unclear on control of a streaming menu interface; however, Salmonsens, who discloses network interfacing, does teach this (see Salmonsens, [0105], a media renderer (sink) controls the streaming of VOB files from the source to the display (presentation device, see control signals (fig. 3) from media source to renderer to video display to show control menus for subtitles and languages)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams and Accarie with the system of Salmonsens so that the user could make selections from a dynamic menu display presented by the sink unit (see Salmonsens, [0054]).

The references of Williams, Accarie and Salmonsens are unclear on the sink component adapted to decode the A/V program data; however, Hunter, who discloses an audio-video distribution system, does teach this (see Hunter, [0065] decoder is part of user station, a STB [0037]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsens with the system of Hunter adding intelligence to the STB or user station and allowing for a simpler network fabric (see Hunter, [0065]).

As to claim 13, Williams discloses an audio/video (A/V) component networking method, comprising (see Williams, fig. 4 and col. 3, ll. 20-60):

controlling, via a sink component, presentation of A/V program data received from a remote source component on a presentation device (see Williams, col. 6, ll. 43-50, STB provides the tuned TV signal to TV in selected mode);

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and controlling, via a command issued by the sink component to the source component, displaying of an A/V interface of the source component for presentation on the presentation device (see Williams, col. 6, ll. 43-54, cable box channel set by IR command (from remote control unit, controlled by STB) cable converter box outputs stream to TV via STB control).

Williams teaches control of data, but is unclear on control of menu interface from the source component; Accarie, who discloses a network communication system does teach control of menu interface of the source component for display on the presentation device (see Accarie, [0395-0447], all stored commands (a menu) of a local terminal (a source) is displayed on a screen for user selection (displayed on presentation device, [0447])).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams with the system of Accarie to allow the user to access the menu of control functions of a remote source component (see Accarie, [0453]).

The references of Williams and Accarie are unclear on control of a streaming menu interface; however, Salmonsens, who discloses network interfacing, does teach this (see Salmonsens, [0105], a media renderer (sink) controls the streaming of VOB files from the source to the display (presentation device, see control signals (fig. 3) from media source to renderer to video display to show control menus for subtitles and languages, In fact, Accarie also shows enablement of the user to control a menu interface, Williams Jr. shows the sink remote from the storage system, Accarie notes a sink remote from storage (see Accarie, [442], terminal v. local node v. VTR, represents separate units). And, Salmonsens shows a sink separate from storage, (see Salmonsens, fig. 3, separate functional units))).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams and Accarie with the system of Salmonsens so that the user could make selections from a dynamic menu display presented by the sink unit (see Salmonsens, [0054]).

The references of Williams, Accarie and Salmonsens are unclear on the sink component adapted to decode the A/V program data; however, Hunter, who discloses an audio-video distribution system, does teach this (see Hunter, [0065] decoder is part of user station, a STB [0037]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsens with the system of Hunter adding intelligence to the STB or user station and allowing for a simpler network fabric (see Hunter, [0065]).

As to claim 27, Williams disclose an audio/video (A/V) component networking method, comprising (see Williams, fig. 4 and col. 3, ll. 20-60):

receiving, via a sink component, A/V program data from a remote source component (see Williams, col. 6, ll. 43-50, STB receives the tuned TV signal to TV in selected mode and transmits it on);

presenting the A/V program data on a presentation device (see Williams, col. 6, ll. 43-54, cable box channel set by IR command (from remote control unit, controlled by STB) cable converter box outputs stream to TV via STB control); and

Williams teaches control of data, but is unclear on control of menu interface from the source component; Accarie, who discloses a network communication system does teach control of menu interface of the source component for display on the presentation device (see Accarie, [0395-0447], all stored commands (a menu) of a local terminal (a source) is displayed on a screen for user selection (displayed on presentation device, [0447])).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams with the system of Accarie to allow the user to access the menu of control functions of a remote source component (see Accarie, [0453]);



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providing, via the sink component, a real time, automatically updating, menu interface of the source component on the presentation device (see Accarie, [0445], as soon as terminal is selected (real-time), the list (the menu interface) of learned commands are displayed, the learned commands are updates and this is done automatically with terminal selection).

The references of Williams and Accarie is unclear on control of a streaming menu interface; however, Salmonsens, who discloses network interfacing, does teach this (see Salmonsens, [0105], a media renderer (sink) controls the streaming of VOB files from the source to the display (presentation device, see control signals (fig. 3) from media source to renderer to video display to show control menus for subtitles and languages)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams and Accarie with the system of Salmonsens so that the user could make selections from a dynamic menu display presented by the sink unit (see Salmonsens, [0054], In fact, Accarie also shows enablement of the user to control a menu interface, Williams Jr. shows the sink remote from the storage system, Accarie notes a sink remote from storage (see Accarie, [442], terminal v. local node v. VTR, represents separate units). And, Salmonsens shows a sink separate from storage, (see Salmonsens, fig. 3, separate functional units)).

The references of Williams, Accarie and Salmonsens are unclear on the sink component adapted to decode the A/V program data; however, Hunter, who discloses an audio-video distribution system, does teach this (see Hunter, [0065] decoder is part of user station, a STB [0037]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsens with the system of Hunter adding intelligence to the STB or user station and allowing for a simpler network fabric (see Hunter, [0065]).

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As to claim 28, Williams, Accarie, Salmonsens and Hunter (as combined in claim 27) disclose the method of claim 27, further comprising:

Receiving an input by the sink component corresponding the menu interface presented on the presentation device (see Williams, col. 6, ll. 43-54, cable box channel set by IR command (from remote control unit—input to STB (sink)) and

Transferring the input to the source component (see Williams, col. 6, ll. 43-54, cable converter box (source) outputs stream to TV based on channel selection from STB control).

As to claim 22, Williams discloses an audio/video (A/V) component networking system, comprising (see Williams, fig. 4, and col. 3, ll. 20-60):

Means for controlling, via a sink component, presentation of A/V program data received from a remote source component on a presentation device (see Williams, col. 6, ll. 43-54, cable box channel set by IR command (from remote control unit, controlled by STB) cable converter box output streams to TV via STB control); and

Means for controlling, via a command issued by the sink component to the source component, streaming of an A/V interface from the source component for presentation on the presentation device (see Williams, col. 6, ll. 43-54, cable box channel set by IR command (from remote control unit, controlled by STB) cable converter box output streams to TV via STB control).

Williams teaches control of data, but does not explicitly teach control of menu interface from the source component; Accarie, who discloses a network communication system does teach control of menu interface of the source component for display on the presentation device (see Accarie, [0395-0447], all stored commands (a menu) of a local terminal (a source) is displayed on a screen for user selection (displayed on presentation device, [0447])).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams with the system of Accarie to allow the user to access the menu of control functions of a remote source component (see Accarie, [0453])).

The combination of Williams and Accarie does not expressly teach control of a streaming menu interface; however, Salmonsens, who discloses network interfacing, does teach this (see Salmonsens, [0105], a media renderer (sink) controls the streaming of VOB files from the source to the display (presentation device, see control signals (fig. 3) from media source to renderer to video display to show control menus for subtitles and languages)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams and Accarie with the system of Salmonsens so that the user could make selections from a dynamic menu display presented by the sink unit (see Salmonsens, [0054]).

The references of Williams, Accarie and Salmonsens are unclear on the sink component adapted to decode the A/V program data; however, Hunter, who discloses an audio-video distribution system, does teach this (see Hunter, [0065] decoder is part of user station, a STB [0037]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsens with the system of Hunter adding intelligence to the STB or user station and allowing for a simpler network fabric (see Hunter, [0065]).

As to claim 3, Williams, Accarie, Salmonsens and Hunter (as combined in claim 1) disclose the system of claim 1, wherein the sink component is adapted to enable the user to access the A/V menu interface associated with the source component (see Accarie, [0395-0447], all stored commands (a menu) of a local terminal (a source) is displayed on a screen for user selection (displayed on presentation device, [0447] is access to the A/V menu interface (see Accarie, [0398])).

As to claim 5, Williams, Accarie, Salmonsens and Hunter (as combined in claim 1) disclose the system of claim 1, wherein the sink component is adapted to transfer the A/V program data via a plurality of different types of communication networks (see Accarie, [0249-

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252], switching between A/V networks of different types (1355/1394) transferring data, the storage means is capable of handling different packet types [0257]).

As to claim 7, Williams, Accarie, Salmonsens and Hunter (as combined in claim 1) disclose the system of claim 1, wherein at least one of the source components is selected from the group consisting of a satellite receiver source component, a digital versatile disk (DVD) source component, a compact disc (CD) source component, a computer, and a cable source component (see Williams, fig. 5 and col. 5, ll. 35-45, cable source component).

As to claim 11, Williams, Accarie, Salmonsens and Hunter (as combined in claim 1) disclose the system of claim 1, wherein the sink component is adapted to control a menu function associated with the A/V program data (see Williams, col. 6, ll. 43-54, cable box channel set by IR command, a menu function associated with the A/V program data from cable box (a source) (from remote control unit, controlled by STB) cable converter box output streams to TV via STB control).

As to claim 12, Williams, Accarie, Salmonsens and Hunter (as combined in claim 1) disclose the system of claim 1, wherein the sink component is adapted to access an A/V program data library of the source component (see Accarie, [0371], a local node (sink) receives program data (from source) and stores in RAM).

As to claim 17, Williams, Accarie, Salmonsens and Hunter (as combined in claim 13) disclose the system of claim 13, wherein controlling, via a command issued by the sink component, comprises transmitting the command to at least one of the group consisting of a satellite receiver component, a digital versatile disk (DVD) component, a cable component, a computer, and a compact disc (CD) component (see Williams, col. 6, ll. 43-54, cable box channel set by IR command (from remote control unit, controlled by STB) cable converter box outputs stream to TV via STB control).

As to claim 4, Williams, Accarie, Salmonsens and Hunter (as combined in claim 1) disclose the method of claim 1,

The references of Williams, Accarie and Salmonsens are unclear on further comprising performing a registration operation to register the source component with the sink component; however, Hunter does teach this (see Hunter, [0163-0165], the sink registers the CD or another type of media player for playback).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsens with the system of Hunter in order to recognize multiple sources of programming data allowing the end user variety in his entertainment choice (see Hunter, [0164]).

As to claim 6, Williams, Accarie, Salmonsens and Hunter (as combined in claim 1) disclose the system of claim 1,

The references of Williams, Accarie and Salmonsens are unclear on wherein the sink component is adapted to perform a registration operation to register a format of the A/V program data available from each of the plurality of source components; however, Hunter does teach this (see Hunter, [0163-0165], the sink registers the format of a CD or another type of storage media for playback).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsens with the system of Hunter in order for program format to be variable from the content sources, making for a more robust entertainment system (see Hunter, [0164]).

As to claim 8, Williams, Accarie, Salmonsens and Hunter (as combined in claim 1) disclose the system of claim 1,

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The references of Williams, Accarie and Salmonsens are unclear on wherein the sink component is adapted to perform a registration operation to register the presentation device with the sink component; however, Hunter does teach this (see Hunter, [0142] through communication with the on-screen GUI (of the presentation device) the user station, sink, realizes information about the user preferences for display on the presentation device, hence registers the device).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsens with the system of Hunter in order to allow the system to correctly recognize the device data is sent to for display therefore no delay in user interaction with the data occurs (see Hunter, [0142]).

As to claims 14 and 25, they are analyzed similar to claim 4.

As to claim 18, it is analyzed similar to claim 3.

As to claim 15, it is analyzed similar to claim 6.

4. Claims 9, 10, 20, 21, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. (US 6202211 B1) in view of Accarie et al. (US 2003/0048757 A1) in view of Salmonsens (US 2004/0049797 A1) in view of Hunter et al. (US 2002/0056118 A1) in view of Williams et al. (US 2004/0019908 A1—hereafter known as Chris Williams).

As to claim 9, Williams, Accarie, Salmonsens and Hunter (as combined in claim 1)

disclose the system of claim 1,

The references of Williams, Accarie and Salmonsens are unclear on wherein the sink component is adapted to present to the user a filtered aggregated listing of the A/V program data available from each of the plurality of source components based on a format of the A/V program data available from each of the plurality of source components; however Chris Williams does teach this (see Chris Williams, fig. 5, each source has a different data format).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie, Hunter and Salmonsens with the

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system of Chris Williams in order to allow the end user the pleasure of entertainment from several various sources (see Chris Williams, [0026]).

As to claim 10, Williams, Accarie, Salmonsens and Hunter (as combined in claim 1) disclose the system of claim 1,

The references of Williams, Accarie and Salmonsens are unclear on wherein the sink component is adapted to present to the user a filtered aggregated listing of the A/V program data available from each of the plurality of source components based on a type of the presentation device; however Chris Williams does teach this (see Chris Williams, fig. 5, the audio data will be reproduced on an audio presenter, speaker system of fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie, Hunter and Salmonsens with the system of Chris Williams in order to allow the end user the pleasure of entertainment from several various sources (see Chris Williams, [0026]).

As to claim 20, it is analyzed similar to claim 9.

As to claims 21 and 26, they are analyzed similar to claim 10

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

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calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Inquiries***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul J. Graham whose telephone number is 571-270-1705. The examiner can normally be reached on Monday-Friday 8:00a-5:00p EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

pjg  
6/30/08

/Vivek Srivastava/

Supervisory Patent Examiner, Art Unit 2623